

Nursing Facilities Part II: Residents' Rights

By
Judith S. Parnes
LCSW, CMC
Executive
Director



Everyone has a right to receive dignified care and have their privacy respected. Federal and state laws require that each nursing facility must also protect and promote the rights of its' residents. Nursing facilities do strive to care for residents in a manner and in an environment that promotes the enhancement of each resident's quality of life. These rights include:

1. Dignity
2. Self-determination
3. Free participation in facility activities and resident groups
4. An individualized plan of care
5. Choice of physician
6. Privacy
7. Retain and use personal property
8. Share a room with spouse
9. Management of finances

10. Right to wear own clothing
11. Right to medical information
12. Right to remain free of chemical and physical restraints

In order to assure that nursing facilities are responsibly providing necessary care and services, there are several departments of state government that regulate and monitor nursing homes. The two state agencies involved with complaint investigation are:

- 1) New Jersey State Department of Health & Senior Services
Division of Long Term Care Systems
P.O. Box 367
Trenton, NJ 08625-0367
1-800-792-9770
- 2) State of New Jersey Office of the Ombudsman for the Institutional Elderly
P.O. Box 808
Trenton, NJ 08625-0808
1-877-582-6995

Upon resident admission, and annually thereafter, a

facility staff person will re-educate the resident and family member about resident rights. The "Rights of Residents" document is so vital that nursing facilities are required to prominently display this information. This document includes transfer and discharge notice requirements, resident behavior and facility practices, as well as information regarding quality of life and protection of resident funds. The facility must also prominently display written information about how to apply for and use Medicare and Medicaid benefits as well as the results of the most recent state inspection with any plan of correction submitted.

Families are always concerned about the safety and comfort of a loved one. As educated consumers, you are better able to communicate with the nursing home staff regarding your resident's rights.